

Citizens Advisory Committee on Pipeline Safety
Meeting Minutes Summary
Location: WUTC - Renton, WA
September 11, 2002

Present

Chuck Mosher, Chair
Don Evans
Duane Henderson
Richard Gilda
Grant Jensen
Les Olson

Absent

Sarah Spence
Alan J. Cabodi
Lee A. James

***NOTE: Brad Rosewood resigned from the Committee on August 26, 2002.**

Agenda:

1. Welcome and Adoption of Minutes
2. Public Comment
3. Update/Summary of API Houston Meeting
4. Briefing on OPS Regional Forum
5. API Public Awareness Draft Language Information
6. Washington Utilities and Transportation Commission (WUTC) Update
7. Update on Statewide Damage Prevention Efforts from the Washington Utilities Coordinating Council
8. Pipeline Safety Workshops by the Association of Washington Cities

1. **Welcome and Adoption of Minutes** – Chairman Chuck Mosher welcomed everyone to the meeting of the State of Washington Citizens Committee on Pipeline Safety. The Committee and everyone present at the meeting observed a moment of silence in honor of those that lost their lives in the September 11th tragedies.
The Committee voted to approve the meeting minutes from the July 10, 2002 without modifications.

2. **Public Comment** –
Rick Kuprewicz (Accufacts, Inc)- Mr. Kuprewicz spoke during the public comment portion of the meeting regarding two issues: public security/right-to-know issues and the C-FER analysis used during the OPS rulemaking.
On the first issue, Mr. Kuprewicz's opinion is that key pipeline information is being held back from citizens that genuinely need that information and that pipeline information is

readily available to people that could use that information maliciously. He stated that pipeline operators are responsible and want to keep pipeline information to the public available, but are being swept into the mass hysteria of terrorism. Mr. Kuprewicz commented that there is something wrong when there is more pipeline information available to people in third world countries and no access pipeline information to the people of the United States.

Mr. Kuprewicz commented next on the Office of Pipeline Safety (OPS) rulemaking on gas transmission pipelines in high consequence areas (HCAs). He noted that in the development of the rulemaking the Canadian based C-FER analysis was used. In his opinion, the pipeline companies are falling back on the C-FER analysis and Mr. Kuprewicz warned that the pipeline operator would not be able to stand up to the technical challenges. He said that the C-FER analysis should not be used for design siting and that there is a misapplication of the C-FER analysis. Mr. Kuprewicz stated that good work has been done on the OPS gas transmission HCA rulemaking and that misusing the C-FER analysis will lose that good work.

Committee member Don Evans asked how this could relate to Washington State. Mr. Kuprewicz answered by saying that there are not that many natural gas transmission lines in Washington right now. But there are numerous high consequence areas in Western Washington. Mr. Kuprewicz said that OPS and the WUTC should be asking these questions and have a check and balance system given what's at stake here.

3. **Update/Summary of API Houston Meeting** – Chuck Mosher, Chair of the Committee, updated the members of the Committee on his participation in the American Petroleum Institutes (API) meeting held in Houston in July. Chuck was invited by the Office of Pipeline Safety (OPS) to meet with API to help them develop information for the public awareness process (API Recommended Practice 1162). Chuck said that many of the same topics that were brought up, like pipeline information security and public right-to-know. He felt it was a great meeting.

Committee member Les Olson stated that if there is a pipeline incident that the pipeline company should have information available. Different channels should also be used to get in contact with citizens along the pipeline right-of-way, like mailings, local newspaper, etc. Les also suggested using the Federal Emergency Management Association (FEMA) requirements for notification of people in flood areas as a model.

Follow this link for more information on [API Recommended Practice 1162 – Public Awareness Programs for Pipeline Operators](#).

4. **Briefing on OPS Regional Forum** – Steve King, the Director of Safety and Consumer Protection of the WUTC, discussed with the Committee the OPS Regional Forums. The northwest forum, will be held in the Seattle area, and will be one of three meetings nationwide. The others will be held in Texas and New York. The forums will be used to learn about what the public thinks about three issues - public awareness, integrity management and measuring safety performance of pipeline operators. OPS intends to use public input from these meetings as part of the record for the planned rulemaking on API. Part of the meeting could involve a panel of citizens possibly with three moderated panel discussions, one for each topic. On each panel, one of the panelists will describe

the topic and why it is of interest to the audience. The target audiences are landowners and neighbors of pipelines, residents, community and environment groups, businesses local and state officials, emergency management and response agencies, land development and excavator companies. The WUTC will be working with OPS to develop discussion questions for each panel, find a moderator, and make suggestions about panel members. Tentative dates for the forum are November 15th and 16th or November 19th and 20th. Location and dates will be given to the Committee as soon as they become known.

5. **API Public Awareness Draft Language Information** – The draft language for the American Petroleum Institute (API) Recommended Practice 1162 – Public Awareness Program for Pipeline Operators had not been released at the time of the September 11, 2002 Committee meeting. Steve King informed the Committee that the draft language would be provided to the Committee as soon as it became available. NOTE: At the time of the meeting on September 11, 2002 there was no draft language available on the API website.
6. **Washington Utilities and Transportation Commission (WUTC) Update** – Steve King with the WUTC gave an update of the activities of the WUTC Pipeline Safety Division. **Pipeline Public Education and Awareness RFP** - Earlier this year, the UTC received an \$800,000 grant to fund 1) local community education initiatives, 2) develop the WUTC's Geographical Information System (GIS), and 3) develop a pipeline safety database. As part of the community education initiative the UTC issued request for proposal (RFP) in August. The purpose of the RFP is to fund projects that meet one or more of these goals:
 - Increase community awareness of pipelines and pipeline safety.
 - Promote behavior and/or practices that enhance pipeline safety and/or
 - Build the capacity of local governments and/or communities to technically understand or access pipeline information, participate in Commission pipeline proceedings and/or share pipeline related information among themselves and/or with their citizens.

The WUTC has allocated up to \$250,000 for projects proposed under the RFP. Proposals are due to the WUTC by September 17. The award for a contract will be made by November 1. All work under contracts will be completed during 2003. *NOTE: As of September 13, 2002, the deadline for the RFP has been extended to October 18, 2002 at the request of potential bidders.*

Federal Integrity Management Update - By the end of September, two of our staff (Dave Lykken and Kim West) will have been through OPS's training for inspections dealing with the Integrity Management (IM) rule.

Dave will be going to Denver to participate along with representatives from several of the OPS regions on an inspection of how Conoco (operators of the Yellowstone Pipeline here in Washington) are implementing the IM rule at their company. The inspection will take place over two weeks (4th week of September and the second week of October)

It will look at:

- How they've identified pipeline segments that might affect areas of population and environmentally sensitive areas like lakes and streams,
- What processes the companies are or have put in place to do regular inspections (pig runs) of these pipeline segments,
- What criteria they've developed for assessing anomalies that they may find,
- How they will mitigate or repair whatever they find and decide is notable, and
- How they will integrate new knowledge based on what they're finding plus: What the industry as a whole is doing in terms of achieving continuous improvement of their IM process.

Update on Commission GIS project - The WUTC hired a consulting firm, GeoNorth, LLC to complete a needs assessment of our Geographical Information System and a conceptual model of the UTC's pipeline GIS system. Thus far GeoNorth has:

- Met with WUTC staff to gather information about the agency's existing capabilities and needs, and is currently in the process of surveying affected stakeholders as described in Chapter 81.88.080 Revised Code of Washington (RCW).
- Upon completion of the survey, GeoNorth will produce a report describing data access requirements of the user groups surveyed, WUTC existing data resources, existing WUTC GIS capabilities, and the information and functionality needed by the Pipeline Safety program.

After the report, GeoNorth will begin conceptual design of the WUTC GIS system. Completion of the survey analysis is expected by the end of October.

The needs assessment is continuing with the development and mailing of a survey. The survey was mailed to 115 fire districts totaling 120 first responders identified as Type 1 and Type 2 responders. Type 1 responders are those individuals who would typically be dispatched to a pipeline emergency and Type 2 are responders who typically perform supervisory, management, and analysis roles. The response due date was August 30, 2002.

Committee's 2003 Workplan - To stimulate the Committee's thinking about the work plan, WUTC staff will distribute a list with two kinds of work plan items - informational and project ideas for you to consider. The informational items will contain topics about which you will receive regular briefings on. Examples might include rulemakings, siting and new construction information.

The project ideas will be suggestions about things the Committee might take up. These will include descriptions of the products that projects will produce and the role of staff and committee members in producing those.

Assuming new Committee members have been announced by the Governors office and the WUTC has had an opportunity to orient them, this item will be on the October meeting agenda.

7. **Update on Statewide Damage Prevention Efforts from the Washington Utilities Coordinating Council** – Mary Rowe and other members of the Washington Utilities Coordinating Council (WUCC) attended the Committee meeting to discuss the requested information from the Committee in a letter that was sent to the WUCC in June, 2002. The letter to the WUCC addressed four topics: 1) Awareness and Education, 2) Dig Safely Booklet, 3) Best Management Practices, 4) Next Legislative Session. Don Evans,

Citizens Committee member discussed the public awareness and education topic. He reminded the Committee of the public education overview that was given at the April Committee meeting. He noted that the distribution of advertising items continues, as well as the T.V., radio and newspaper advertising. Mary Rowe commented that the WUCC is trying to “brand” the Call-Before-You-Dig message. Also the WUCC is currently working more with education in conjunction with the UULC.

Don also addressed the Dig Safely Booklet and noted how comments are being solicited from interested parties. The second draft of the booklet will be distributed to the Committee for their review and comments can be submitted to Don Evans by e-mail at evans_dr@msn.com. Don said that the new Dig Safely Booklet would have the recommended guidelines to help promote safer digging practices and will also include the law, RCW 19.122. Don Evans discussed with the Committee the issue of getting the Call-Before-You-Dig number in a more prominent area in phonebooks. He noted that private citizens have been unable to get this done and was hoping that the WUTC would be able to have influence over the directory companies that publish the phone books. The WUCC would like to know from the WUTC where the issue of urging the directory companies to publish the phone number is.

Frank Planton, with One-Call Concepts and the WUCC spoke about the best management practices and noted that the State of Washington has come a long way. As background, he noted that there were 11 call centers in Washington, with 11 different numbers. Frank was glad to report that Cowlitz County will join the Underground Utilities Notification Council (UUNC) in October or November, which means that all counties in Washington State use the same call center in Portland when a locate call is placed. He stated that having the final county in the state join the UUNC is a big step towards meeting the guidelines of the Common Ground study. He reported that only one guideline is not currently being met which is the 30-second hold time. Frank said that the contract for the call centers specifies a 60-second hold time.

Committee member Dick Gilda asked why the calls made to the Call-Before-You-Dig number go to Portland Oregon and why do the calls go to another state early in the morning or late at night? Frank answered those questions by saying that the Portland location serves Washington, Montana and parts of Idaho. The Portland call center is staffed in house from 5 a.m. to 6 p.m. everyday and then after that the calls go to the Minnesota call center. They have found that this is a more efficient way to handle after hour calls.

Les Olson asked the WUCC about PSE’s distribution of Call-Before-You-Dig information in the PSE bills. Cheryl Paras answered the question by saying that the bill stuffer is normally distributed annually. Cheryl noted that in 2002 the Call-Before-You-Dig bill stuffer went out twice this year.

The issue of voluntarily requesting cities and counties to put the Call-Before-You-Dig number and a place for the ticket number to be written on the permit was discussed. The idea of jointly requesting this from the Committee, the WUCC and the Association of Washington Cities (AWC) was suggested. WUTC staff also noted how they are currently working with the State Building Code Council on this issue, which was brought up to the Council by the Damage Prevention subcommittee.

Mark Pederson talked with the Committee about the possibility of damage prevention legislation in the next legislative session. Mark said that the WUCC legislative

committee is currently determining if there is a need for enforcement of those that violate RCW 19.122. They have found that a need has been found, but noted that the WUCC is a volunteer committee and doesn't have the political weight and the financing to bring an enforcement bill forward. Mark said that the WUCC would like to see the Committee or the Governor or the WUTC step up to the plate for enforcement of 19.122. If someone brings forward a bill the WUCC said that they would support it. For the record, the WUCC wanted to give their comments on the type of enforcement that would be effective in Washington State:

- a) Level the playing field for the small and large utility companies. The liability and lawyer costs in the traditional court system deter people from pursuing court action.
- b) Most utilities and contractors/excavators comply with the law. Enforcement is looking into who doesn't follow the rules or those that are not joining the system. The focus should not be trying to obtain penalty funds, but instead to keep people safe. The WUCC believes that education is a key component to enforcement.
- c) The WUCC feels that the enforcement body should be a board of peers instead of a government agency. They think that the board of peers would make better judgments because they are the ones that work in the field everyday and deal with these situations.
- d) The recommended guidelines booklet could be used as a tool if an enforcement mechanism is put in place.

Chairman Chuck Mosher thanked the WUCC for attending the meeting and answering their questions regarding damage prevention. Chairman Mosher noted that the Committee and the WUCC have common goals and would like to work with them wherever possible.

8. **Pipeline Safety Workshops by the Association of Washington Cities** – Victoria Lincoln, with the Association of Washington Cities (AWC), spoke to the Committee about the current pipeline safety activities of the AWC. Victoria informed the Committee of a series of six workshops throughout the state that the AWC will be holding. These workshops and other pipeline safety efforts for cities are being funded by a contract with the WUTC. Victoria said that the goal of the workshops is to increase pipeline safety awareness and damage prevention efforts. The workshops will try to make city officials aware of pipeline safety laws, the state and federal agencies to contact for pipeline information and providing access to pipeline safety information. Technology grants are being rewarded to small cities that don't have a computer or fax machine. These grants are one of the ways to keep communication regarding pipeline safety active. City communication tool kits are being created to educate the public, school districts and businesses within a city that's near a pipeline. The bottom line is to help prepare cities if there is an emergency or incident related to pipelines and to also help to prevent any incidents. Members of the Damage Prevention subcommittee brought up the issue of having the Call-Before-You-Dig number on building permits. Subcommittee members suggested to Victoria that this issue be brought up at the meetings to see if cities will voluntarily do this to help increase damage prevention awareness. Victoria said that she would bring that up at the meetings.

Victoria hoped that the workshops that the AWC are hosting are just start to more public involvement about pipeline safety. She was especially hopeful that the pipeline safety education and awareness RFP would bring about more ideas. Victoria said that after the AWC workshops are over she would come back to the Committee to report on what they learned. Chairman Mosher thanked Victoria for speaking with the Committee and felt it was encouraging to work together with the AWC towards a common goal.

The meeting adjourned at 12:15 p.m. on September 11, 2002.